



PATENT
Docket No.: 19603/3391 (CRF D-2702A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Margaret M. Jahn)	Examiner:
)	A. R. Kubelik
Serial No.	:	09/993,856)	
)	Art Unit:
Cnfrm. No.	:	7990)	1638
)	
Filed	:	November 14, 2001)	
)	
For	:	RESISTANCE TO GUMMY STEM BLIGHT IN)	
		MELON)	

DECLARATION OF MARGARET M. JAHN
UNDER 37 C.F.R. § 1.132

RECEIVED

OCT 16 2003

TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, MARGARET M. JAHN, pursuant to 37 CFR § 1.132, declare:

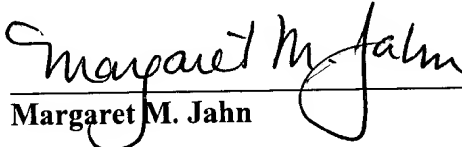
1. I received a B.S. degree in Biology from Swarthmore College, Swarthmore, PA in 1980, and a Ph.D. degree in Plant Breeding from Cornell University, Ithaca, NY in 1988.
2. I am currently an Associate Professor in the Department of Plant Breeding at Cornell University, Ithaca, New York.
3. I am the inventor of the subject matter described and claimed in the above-identified patent application.
4. I am a co-author of the article Zuniga et al., "Monogenic Dominant Resistance to Gummy Stem Blight in Two Melon (*Cucumis melo*) Accessions," Plant Disease 83(12):1105-1107 (1999) ("Zuniga").
5. In addition to myself, the other authors of the Zuniga article are Tito L. Zuniga, John P. Jantz, and Thomas A. Zitter, who are not named as inventors of the above-identified patent application.
6. I am the sole inventor of the subject matter of the above-identified patent application to the extent disclosed in the Zuniga article.

7. Tito L. Zuniga is not a co-inventor of the above-identified patent application to the extent described in the Zuniga article. He was a graduate research assistant in the Department of Plant Pathology, Cornell University, Ithaca, New York, working under my direction and control on experiments described in the Zuniga article. He is listed as a co-author of the Zuniga article in order to receive credit for having collaborated in the research program under my direction and control. John P. Jantz is not a co-inventor of the subject matter of the present application to the extent described in the Zuniga article. He was a research support specialist in the Department of Plant Breeding, Cornell University, Ithaca, New York, working under my direction and control on experiments described in the Zuniga article. He is listed as a co-author of the Zuniga article in order to receive credit for having collaborated in the research program under my direction and control.

8. Thomas A. Zitter is not a co-inventor of the subject matter of the present application to the extent described in the Zuniga article. Dr. Zitter is a Professor in the Department of Plant Pathology, Cornell University, Ithaca, New York. Dr. Zitter is a principal investigator of one of the grants sponsoring the work reported in the Zuniga article. Dr. Zitter did not carry out any of the experiments. He is listed as a co-author of the Zuniga article in order to receive credit for having collaborated in a portion of the research program that resulted in the Zuniga article. However, Dr. Zitter was not involved in conceiving the subject matter of the present application to the extent described in the Zuniga article. Instead, Dr. Zitter provided technical support and advice for some of the experiments carried out by Tito L. Zuniga.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that any such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 26 Sept 2003


Margaret M. Jahn